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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 THE KALISPEL TRIBE OF
9 INDIANS, a Native American
tribe,

10 Plaintiff,

11 v.

12 SPOKANE RACEWAY PARK, INC., a
13 Washington Corporation,
14 WASHINGTON MOTORSPORTS L.P.,
15 a Washington limited
16 partnership; ORVILLE MOE and
17 the marital community of
18 ORVILLE and JANE DOE MOE,

19 Defendants.

20 NO. CV-03-0423-EFS

21 **ORDER GRANTING THE PARTIES'
22 STIPULATED MOTION FOR ORDER OF
23 DISMISSAL AS TO CLAIMS BY AND
24 BETWEEN WML AND SRP**

25 Before the Court, without oral argument, is the parties' Stipulation
26 for Order of Dismissal as to Claims By and Between WML and SRP.
(Ct. Rec. 158.) Based on mediation between the Kalispel Tribe of
Indians, Washington Motorsports Limited Partnership ("WML"), and Spokane
Raceway Park, Inc. ("SRP"), a resolution as to certain claims has been
reached. Therefore, the parties seek dismissal of those claims.

27 Accordingly, **IT IS HEREBY ORDERED:** the parties' Stipulated Motion
28 for Order of Dismissal as to Claims By and Between WML and SRP
(Ct. Rec. 158) is **GRANTED**. The following claims are dismissed without
prejudice and without costs or fees to any party:

1. WML's claims against SRP in the above-captioned matter, including but not limited to any claims that were removed into this action from Washington State Superior Court for Spokane County Cause No. 3-2-07706-7.

2. WML's cross-claim against SRP for indemnification (contained in paragraphs 107-109 of Amended Answer of WML Receiver with Amended Counterclaims and Crossclaim). (Ct. Rec. 73.)

3. SRP's claims against WML in the above-captioned matter, including but not limited to any claims that were removed into this action from Washington State Superior Court for Spokane County Cause No. 3-2-07706-7.

4. SRP's counter cross-claim against WML (contained in paragraph 112 of Reply and Counter-Crossclaim of Defendant Spokane Raceway Park, Inc. to Amended Answer of WML Receiver). (Ct. Rec. 95.)

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide a copy to counsel and Defendant Orville Moe.

DATED this 10th day of September 2007.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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